

USDC SCAN INDEX SHEET



USA

GARCIA

MEG 3/25/98 12:55

3:98-M -00505

2

CRMO.

MINUTES OF THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

U.S.A. vs. SERGIO A. GARCIA No. 98MG0505

HON. JAMES F. STIVEN Ctrm Dep MARIA J. MIRABELLA Tape JFS98-3:6130-6788

Asst U.S. Attorney RENEE PALERMO PTSO: JEFF LARSON

Atty FEDERAL DEFENDERS by MICHELLE POLLUM X Appt (01) (O/R BOND)

PROCEEDINGS: In Chambers X In Court By Telephone

First Appearance in San Diego on Notice to Appear.

Defendant Arraigned on Complaint.

Oral Consent to Proceed before Magistrate Judge made.

No plea entered at this time.

Defendant Release on Own Recognizance. Abstract Issued to U.S.M.

Government Counsel informs the Court that the Restitution in the amount of \$560.00 has been paid in full.

Defendant to preform 100 hours of community service in his native country of Mexico and provide proof to his counsel prior to

February 25, 1999, at 2:00 p.m.

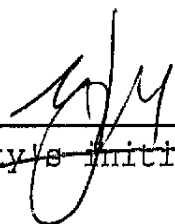
Deferred Prosecution Hearing set for February 25, 1999, at 2:00 p.m.

Defendant need not attend if counsel is in possession of "proof of community service" to present to the Court.

Date February 25, 1998

copy to AUSA, FD, PTS

2 MG


Deputy's initials

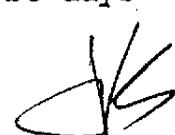
U.S.A. vs Sergio A. Garcia No. 98M60505

The Court finds excludable delay, under the section indicated by check (✓), commenced on 02-25-98 and ended on 02-25-99.

3161(h)

<input type="checkbox"/> (1) (A)	Exam or hrg for mental or physical incapacity (18:4244)	A
<input type="checkbox"/> (1) (B)	NARA examination (28:2902)	B
<input type="checkbox"/> (1) (D)	State or Federal trials or other charges	C
<input type="checkbox"/> (1) (E)	Interlocutory appeals	D
<input type="checkbox"/> (1) (F)	Pretrial motions (from flg to hrg or other prompt dispos)	E
<input type="checkbox"/> (1) (G)	Transfers from other districts (per FRCrP 20, 21 & 40)	F
<input type="checkbox"/> (1) (J)	Proceedings under advisement not to exceed 30 days	G
<input type="checkbox"/>	Misc proc: Parole or prob rev, deportation, extradition	H
<input type="checkbox"/> (1) (C)	Deferral of prosecution under 28:2902	5
<input type="checkbox"/> (1) (H)	Transportation from another district or to/from examination or hospitalization in ten days or less	6
<input type="checkbox"/> (1) (I)	Consideration by Court of proposed plea agreement	7
<input checked="" type="checkbox"/> (2)	Prosecution deferred by mutual agreement	I
<input type="checkbox"/> (3) (A) (B)	Unavailability of defendant or essential witness	M
<input type="checkbox"/> (4)	Period of mental or physical incompetence of defendant to stand trial	N
<input type="checkbox"/> (5)	Period of NARA commitment or treatment	O
<input type="checkbox"/> (6)	Superseding indictment and/or new charges	P
<input type="checkbox"/> (7)	Defendant awaiting trial of co-defendant when no severance has been granted	R
<input type="checkbox"/> (8) (A) (B)	Continuances granted per (h) (8) - use "T" alone if more than one of reasons below are given in support of continuance	T
<input type="checkbox"/> (8) (B) (i)	1) Failure to continue would stop further proceedings or result in miscarriage of justice as the defendant and the United States are conducting negotiations for a disposition that may result in the matter not being presented to the Grand Jury.	T1
<input type="checkbox"/>	2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.	
<input type="checkbox"/> (8) (B) (ii)	2) Case unusual or complex	T2
<input type="checkbox"/> (8) (B) (iii)	3) Indictment following arrest cannot be filed in 30 days	T3
<input type="checkbox"/> (8) (B) (iv)	4) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare	T4
<input type="checkbox"/> 3161(i)	Time up to withdrawal of guilty plea	U
<input type="checkbox"/> 3161(b)	Grand jury indictment time extended 30 more days	W

Date 02-25-98


 Judge's Initials